

(5) operates in a neutral and physically separate space from the day-to-day operations of any public agency partner;

(6) has developed a method of statistical information gathering on children receiving services through the center and shares such statistical information with the statewide organization, [and] the department, and the office of the attorney general when requested;

(7) has an in-house volunteer program;

(8) employs an executive director who is answerable to the board of directors of the entity and who is not the exclusive salaried employee of any public agency partner; and

(9) operates under a working protocol that includes a statement of:

(A) the center's mission;

(B) each agency's role and commitment to the center;

(C) the type of cases to be handled by the center; and

(D) procedure for case reviews.

(b) The statewide organization may waive the requirements specified in Subsection (a) if it determines that the waiver will not adversely affect the center's ability to carry out its duties under Section 264.405. Any waiver that is granted must be identified in the written contract with the center. ~~[If a request for a waiver is denied, an appeal of the decision may be made to the department's executive director, who may reverse the decision. If the executive director approves a request for a waiver on appeal, the statewide organization shall contract with the center and shall include the waiver in the contract.]~~

SECTION 4. This Act takes effect September 1, 1999.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on April 16, 1999, by a non-record vote; passed by the Senate on May 18, 1999, by a viva-voce vote.

Approved May 29, 1999.

Effective September 1, 1999.

## CHAPTER 348

### H.B. No. 2209

#### AN ACT

relating to the ability of a public housing authority to use a public facility corporation to promote development of residential housing and accomplish other public purposes.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subchapter D, Chapter 392, Local Government Code, is amended by adding Section 392.066 to read as follows:

*Sec. 392.066. PUBLIC FACILITY CORPORATION. (a) An authority that creates a public facility corporation under the Public Facility Corporation Act (Article 717s, Revised Statutes) may, with or without consideration, for the purpose of providing affordable housing or housing assistance, enter into an agreement with, make a contribution to, make an investment in, enter into a lease or exchange with, or make a mortgage or loan to the corporation to:*

*(1) acquire, construct, rehabilitate, renovate, repair, equip, furnish, or provide assistance to a residential development described by Section 394.004 or a housing project; or*

*(2) accomplish another public purpose authorized by law.*

(b) For the purpose of providing affordable housing or housing assistance and for a purpose described by Subsection (a), an authority described by Subsection (a) may also, with or without consideration:

(1) transfer, convey, pledge, or otherwise use money, personal or real property, or any other right or benefit to which the authority is entitled under state or federal law; and

(2) pledge a right or benefit described by Subdivision (1) to secure the payment of indebtedness issued by the public facility corporation created by the authority.

(c) For the purpose of providing affordable housing or housing assistance, an authority may exercise a power granted by Subsection (a) as necessary to:

(1) develop or diversify the economy of this state;

(2) reduce unemployment or underemployment in this state;

(3) develop or expand commerce in this state; or

(4) promote another public purpose.

(d) The powers granted by this section do not affect the powers of an authority granted under the Public Facility Corporation Act (Article 717s, Revised Statutes).

(e) A housing development project or other program that uses funds provided by an authority under this section must benefit individuals and families whose incomes are not more than 60 percent of the area median family income, adjusted for family size, as determined by the United States Department of Housing and Urban Development, in the same proportion that the funds provided by the authority under this section bear to the overall cost of the housing development project or other program.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 28, 1999: Yeas 136, Nays 5, 1 present, not voting; passed by the Senate on May 17, 1999: Yeas 30, Nays 0.

Approved May 29, 1999.

Effective May 29, 1999.

## CHAPTER 349

### H.B. No. 2223

#### AN ACT

relating to reporting requirements of a license holder under The Sale of Checks Act.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 152.305, Finance Code, is amended to read as follows:

Sec. 152.305. FINANCIAL STATEMENTS AND REPORTS. (a) *Unless waived by the commissioner, not [Not] later than the 45th day after the last day of each quarter of the license holder's fiscal year, a license holder shall file with the commissioner a certification of net worth and a report [;*

~~[(1) an unconsolidated financial statement, including a balance sheet, as of the last day of the preceding quarter; and~~

~~[(2) required reports]~~ regarding maintaining permissible investments under Sections 152.301 and 152.3015 for the preceding quarter submitted on forms furnished by the commissioner.

(b) *Not later than April 15 of each year, or a later date the commissioner approves in writing for good cause shown, a [A] license holder shall file an annual audited unconsolidated financial statement dated as of the last day of the license holder's fiscal year that ended in the*